Supreme Court, U.S.
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NO. 92-159

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IN THE

SUPREME COURT OF THE UNITED STATES

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OCTOBER TERM, 1992

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JOSEPH MURPHY, JR.

Petitioner

vs.

PATRICIA L. MURPHY

Respondent

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Petition For Writ Of Certiorari To
The United States Supreme Court From
The Pennsylvania Supreme Court

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REPLY TO RESPONDENT'S BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI

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Joseph Murphy, Jr.,
- Pro Se
R.D. #1 Box 202
Seward, PA 15954
(814) 446-5602

REPLY TO QUESTION PRESENTED

The allegations set forth by Mr. James O'Malley, representing the credibility of appellant has been an ongoing occurrence for almost nine years. The non-factual statements of Mr. O'Malley that appellant forced his wife onto welfare, that he has had eleven different lawyers and has taken numerous appeals to the Pennsylvania Superior Court are false allegations. The whole concept of defendant's appeal to The United States Supreme Court is not one of domestic problem, but rather the procedural due process of a corrupt court system in the state of Pennsylvania, as denoted in subject appeal. Mr. James O'Malley secured an ex parte order from the Cambria County Court on October 3, 1983 based on false information.

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STATEMENT OF THE CASE

Again the allegation made by Mr. James O'Malley of appellant beating his wife and having her put in the hospital is a complete falsified and fraudulent statement, and as stated before, he secured an ex parte order without a hearing, and again the basic reason for this appeal is the fact that appellant was not aware of any such complaints. The defendant was completely unaware of the complaint filed by Mr. James O'Malley on October 3, 1983 at the Cambria County Court until December 21, 1983, some three months later.

The falsification of this case by Mr. James O'Malley continues to the fact that pursuant to the rules of court of Pennsylvania, the Cambria County Court should not have accepted jurisdiction in

in this matter simply because appellant and appellee were not residents of Cambria County. The most important and critical issue to that fact is that the Cambria County Court, pursuant to the rules of Pennsylvania, did not have proper jurisdiction over same and again, being the result of this appeal. The Cambria County Court was at that time under investigation for wrongdoings and improper use of the legal system by the Attorney General's Office of the state of Pennsylvania.

There has not been one judge who has confronted the issues of said case from the time that it was transferred from Cambria County to Indiana County in 1986. The Superior Court affirmed the actions set forth by the Cambria County Court, and the Indiana County

Court only assumed the orders issued by the Cambria County Court and initiated said procedures from the orders handed down by the Cambria County Court. Indeed, again this being the reason for this appeal.

Mr. O'Malley's claim that appellant has paid his lawyers $200,000. is absolutely not coherent to appellant's stating that the expense of said case now amounts to well over $200,000. Indeed, Mr. O'Malley throughout the entire case has never submitted a final bill, but has only asserted that plaintiff owed him well over $100,000. and for a period of almost nine years has not received any amount of money whatsoever from plaintiff.

REPLY TO ARGUMENT

Mr. O'Malley further alleges that there has been no judge who has had contact with said case being removed from the bench. This is completely a falsified statement due to the fact that, appellant wishes to state again before the court, the Cambria County Court system was a matter of local television coverage for over a period of a year and a half, and made headlines in the local news media exposing the corruption and wrongdoings that were set forth in that court system. The falsification and misuse of the legal system by Mr. James O'Malley through a judge at the Cambria County Court, of whom he was a business associate, is indeed one of the most drastic conditions that can be set forth in the legal system in the United States.

He further alleges that five prominent judges in the lower courts have examined the shenanigans set forth by the appellant, and indeed, this is another false statement due to the fact that no judge has examined the record in said case. As a matter of fact, of the two judges involved at the Indiana County Court, one made the statement in open court that he was not going to examine a record that had commenced for seven years, then two days after that court hearing, the judge stepped down from the bench, informing the local news media that the job had become too burdensome to handle. That was Judge Earley of the Indiana County Court. Secondly, after that occurred, Judge Handler, a retired judge of the Indiana County Court, proceeded to again intercede into the case

and in open court so stated that he did not want to hear anything that happened over a period of eight years -- all he was concerned with was what was before him at the moment, and issued an order without adjudication to the facts, charging appellant $43,000. which he claimed was a valid order handed down from the Cambria County Court. Finally, the case was interceded by Judge Ruddock of the Indiana County Court. Appellant wishes to state that presently, without the record being scrutinized for falsification and most of all whether indeed an invalid order was handed down by the Cambria County Court is the problem appellant is facing at the moment. Mr. O'Malley further alleges that the eleven lawyers, five judges and the Superior Court have all found appellant not to be

a credible witness, however said case was never scrutinized to that fact and appellant at this time wishes to state before the court, there has not been one instance throughout the nine years whereby appellant has submitted falsified information, made derogatory remarks, or furnished any invalid information to ascertain the value of said case.

Mr. O'Malley just recently falsified the information concerning this appeal to The United States Supreme Court and advised the lower court that the high court of our nation was not going to "fool around" with appellant. This is indeed an example of what has taken place over the period of this case since 1983.

CONCLUSION

In conclusion thereof, pursuant to the rules of The United States Supreme Court, Mr. James O'Malley has been found guilty of malpractice procedures in the federal court in Pittsburgh, Pennsylvania recently and has been fined a considerable amount of money at the federal court level, and again this is a well known occurrence, being in the news media in the Johnstown and local papers. I might add that Mr. O'Malley is desperately trying to hide the misuse of the legal system that he has been involved with along with a corrupt court system since 1983.

Respectfully submitted,

JOSEPH MURPHY, JR.
R.D. #1 Box 202
Seward, PA 15954
(814) 446-5602